PROVINCE OF SASKATCHEWAN

10-11

ANNUAL REPORT

MINISTRY OF LABOUR RELATIONS AND WORKPLACE SAFETY

Table of Contents

Letters of Transmittal 2
Introduction 4
Alignment with Government Goals 4
Government's Vision 4
Government's Goals 4
Ministry Overview 5
Delivery of Key Programs and Services 5
Progress in 2010-2011 6
Strategy 6
Results 6
Financial Schedules 2010-2011 11
Schedule of Revenue and Expenditures 11
Financial Schedules - Notes 12
For More Information 13
Appendix A: LRWS Organizational Chart 14

This annual report is also available in electronic format from the Ministry's website at www.lrws.gov.sk.ca.

Letters of Transmittal

His Honour the Honourable Dr. Gordon L. Barnhart
Lieutenant Governor of Saskatchewan

Your Honour:

I am pleased to submit the first Annual Report of the Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2011.

The Government of Saskatchewan is committed to building a secure and prosperous province where the safety and rights of workers are protected. This report provides an opportunity to showcase actions taken by the Ministry of Labour Relations and Workplace Safety to meet these commitments in 2010-11.

Since the Ministry was established in June 2010, we have worked to develop strategies, involve stakeholders and deliver services that ensure a safe, fair and productive labour environment throughout the province.

In 2010-11, the Ministry made significant progress towards its goals by:

- encouraging healthy, safe and productive workplaces by setting, promoting and enforcing employment and occupational health and safety standards;
- fostering a positive labour environment by working with entrepreneurs, employers, employees, unions, and labour organizations to promote the use of best practices; and,
- working in partnership with organized labour, the private sector, public sector and relevant community-based partners to reduce incidence and severity of workplace injuries.

The initiatives pursued in 2010-11, and the results achieved, are shared with the legislature and the people of Saskatchewan through the annual report. Not only is this report an important accountability document, it also helps to inform planning and resource allocation in the coming years. To this end, the Ministry will continue to build on its work to help Saskatchewan lead the country in economic and population growth, while ensuring that the benefits of growth are shared with the people of our province.

Sincerely,

D R Morgan

The Honourable Don Morgan, Q.C.
Minister of Labour Relations and Workplace Safety

The Honourable Don Morgan
Minister of Labour Relations and Workplace Safety

Dear Minister Morgan:

I have the honour of submitting the Annual Report on behalf of the Saskatchewan Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2011.

This Annual Report highlights actions directed in support of Government's vision, goals and priorities.

The Ministry takes responsibility for this report and the information contained herein has been completed to the best of our ability. The Ministry also acknowledges and remains committed to responsibly managing its finances and administering its programs.

Respectfully submitted,

Michael J.R. Carr
Deputy Minister
Labour Relations and Workplace Safety

Introduction

This annual report presents the Ministry's activities and results for the fiscal year ending March 31, 2011. It reports to the public and elected officials on public commitments fulfilled and other key accomplishments of the Ministry.

Annual reports provide results on the publicly committed strategies, actions and performance measures identified in Ministry Plans for 2010- 11. Annual reports also demonstrate progress made on Government commitments stated in the Government Direction for 2010-11, the Minister's 2010 Mandate letter, throne speeches, and other commitments.

The 2010-11 Annual Reports set the stage for future planning and budgeting processes by providing an opportunity to assess the accomplishments, results, and lessons learned. As well, it identifies how to build on past successes for the benefit of Saskatchewan people.

Alignment with Government Goals

The Ministry's activities in 2010-11 align with Government's vision and three important goals:

Government's Vision

A secure and prosperous Saskatchewan, leading the country in economic and population growth, while providing a high quality of life for all.

Government's Goals

- Sustain Economic Growth for the benefit of Saskatchewan people, ensuring the economy is ready for growth and positioning Saskatchewan to meet the challenges of economic and population growth and development.
- Secure Saskatchewan as a safe place to live and raise a family where people are confident in their future, ensuring the people of Saskatchewan benefit from the growing economy.
- Keep Government's Promises and fulfill the commitments of the election, operating with integrity and transparency, accountable to the people of Saskatchewan.

Together, all ministries and agencies support the achievement of Government's goals and work towards a secure and prosperous Saskatchewan.

Labour Relations and Workplace Safety (LRWS) remains focused on continuous improvement and will keep working to enhance service delivery to clients via service integration and program and outcome evaluation.

Ministry Overview

The Government of Saskatchewan established the Ministry of LRWS on June 29, 2010. Prior to this date, the functions of LRWS were attached to the Ministry of Advanced Education, Employment and Labour (AEEL)—now Advanced Education, Employment and Immigration (AEEI). As a result, part of LRWS's report for the 2010-11 fiscal year will include commitments and performance indicators taken from the previously-known Ministry of AEEL's annual plan.

Over the past year, the Ministry has worked to develop strategies, involve stakeholders and deliver services that ensure a safe, fair and productive labour environment throughout the province. The Ministry achieves its desired outcomes by encouraging, promoting and enforcing safe work practices and employment standards and by fostering an employment/ labour environment that respects the rights, duties and responsibilities of employees and employers.

Delivery of Key Programs and Services

LRWS is responsible for labour standards, occupational health and safety, labour relations and mediation services and advocacy on behalf of injured workers.

In 2010-11, the Ministry employed staff in its central office in Regina, nine Labour Standards offices (Estevan, La Ronge, Moose Jaw, North Battleford, Prince Albert, Swift Current, Yorkton, Saskatoon, and Regina) and four Occupational Health and Safety offices (Regina, Saskatoon, Prince Albert, Weyburn) across the province. The 2010-11 FTE budget allocation for the Ministry was 149.1. Actual FTE utilization was 138.0, resulting in an under usage of approximately 11 FTEs due to vacancies, turnover and delayed staffing.

The Ministry consists of five divisions:

Central Services (CS) assists the divisions within the Ministry in developing strategic policy and legislative initiatives that coincide with Government objectives. CS also develops annual reports, performance plans and the budget as well as performs other essential administrative functions of the Ministry.

Labour Relations and Mediation provides information, training and bargaining assistance through conciliation and mediation services to labour and management in unionized workplaces. These professionals assist unions and management in resolving difficult labour disputes and work stoppages due to strikes and lockouts.

Labour Standards provides services to Saskatchewan employers and employees in support of fair and equitable workplace practices. They enforce employment standards legislation and ensure that employees and employers are aware of their rights and responsibilities under these laws.

The Office of the Workers' Advocate (OWA) assists any worker or dependant of an injured worker involved in a dispute with the Workers' Compensation Board (WCB) concerning a compensation claim.

Occupational Health and Safety (OHS) offers programs and services for workers and employers to help ensure safer workplaces and an improved culture of safety in Saskatchewan.

OHS also provides effective regulatory oversight and enforcement of occupational health and safety standards by encouraging compliance via education and prosecutions where appropriate.

Progress in 2010-2011

The results from 2010-11 will illustrate how the Ministry of LRWS fulfilled its obligations towards achieving the Government's goals and commitments within the Minister of LRWS's Mandate Letter.

Strategy

To foster productive, safe, and competitive workplaces.

Results

Central Services

The Construction Industry Labour Relations Amendment Act, 2009 (CILRA 2009) came into effect July 1, 2010. The Act was introduced to facilitate the organization of workers on a trade basis as well as on a multi-trade or all-employee basis. Prior to this amendment, workers could only organize into one of the trade divisions listed in *The Construction Industry Labour Relations Act, 1992*. This practice limited Saskatchewan's competitiveness by running contrary to that found in the majority of other Canadian jurisdictions. CILRA 2009 not only afforded Saskatchewan construction workers greater freedom to organize but enhanced Saskatchewan's competitiveness by putting the construction industry on a level playing field.

In September 2010, the Minister of LRWS requested the Saskatchewan Minimum Wage Board review the possibility of indexing the minimum wage. The Board submitted its final report on February 28, 2011 recommending that the Government adopt a policy to index the provincial minimum wage to the Saskatchewan Consumer Price Index. At the time this report was prepared, Ministry officials were examining the impact of the recommendations on the province.

In January 2011, Saskatchewan gave the federal government its support for ratifying the International Labour Organization *Promotional Framework for Occupational Safety and Health Convention, 2006* (C187) and *Forced Labour Convention, 1930* (C29). By endorsing the ratification of C29, Saskatchewan demonstrates its humanitarian commitments with respect to human trafficking and the exploitation of new immigrants and foreign workers. Supporting the ratification of C187 illustrates Saskatchewan's commitment to promoting safer and healthier work environments.

Labour Relations and Mediation (LRM)

In 2010, Saskatchewan had three work stoppages with one being carried over from 2009. These stoppages involved 880 workers and resulted in 46,698 person days lost. In comparison, the per year average calculated over 10 years is seven stoppages involving 2,966 workers resulting in 43,060 days lost. The high number of person days lost in 2010 was the result of a dispute at a beef plant in Moose Jaw that carried over from 2009. The dispute began on September 18, 2009 and ended with a permanent lay-off and plant closure on August 13, 2010.

Over the 2010-11 fiscal year, the LRWS began a review to identify and eliminate the duplication of mediation services offered by itself and the Ministry of Justice and Attorney General. The review discovered minimal overlap. Both Ministries continue to work together to ensure that no further overlaps occur in the future.

Other LRM statistics for fiscal year 2010-11:

- 25 workplaces were provided conciliation assistance to assist in resolving labour disputes.
- 10 workplaces received interest-based negotiation facilitation.
- 8 workplaces received interest-based negotiation training.
- 30 votes on behalf of the Labour Relations Board were conducted.
- 30 grievances were mediated.
- 52 workplace mediations were conducted.
- 27 conflict resolution training sessions were conducted.
- 24 presentations and other training were conducted.

Labour Standards

Effective March 31, 2010, 14 and 15 year-olds must complete a Young Workers Readiness Certificate Course (YWRCC)—an online training course that teaches young people about safety and employment standards—prior to being employed. Over the fiscal year, 4,352 youth completed the course. Information workshops on the YWRCC were provided to and disseminated by various labour, employer, education, and First Nations communities across the province.

The Ministry also partnered with the Francophone Affairs Office to translate the YWRCC program and tests, as well the Minimum Age of Employment Toolkit (includes information sheet for employers) into French. The French version became available (website and print) in June, 2010.

- On March 18 and 21, 2011, over 110 students attending Francophone schools in Regina, St-Isidore-de-Bellevue and Saskatoon became the first to benefit from an agreement between the Ministry and the Assemblée Communautaire Fransaskoise (ACF) that brings information about the YWRCC into their classrooms.

In January 2011, the Division began offering training webinars to the public on six employment standards issues: overtime, public holiday pay, annual holiday pay, discharges and layoffs, special provisions, and pay, deductions and records. In total, the webinars attracted 405 participants from various parts of Canada as well as the United States.

In 2010-11 there were 2,429 labour standards related complaints filed and 2,447 (includes those carried over from previous year) completed investigations. The average number of days it took to close a file was 123. The Division assessed $1.9 million in owed wages and collected $1.42 million.

The Hosted Contact Centre (HCC) links intake staff from 8 regional offices to create a province-wide call centre. In 2010-11, the Centre handled 37,703 calls and 1,054 emails.

In previous years, intake staff only worked part-time in five regional offices outside Prince Albert, Saskatoon, and Regina, and any calls made during off hours could only be answered on the next available date. With the HCC, calls made from those regions during off hours will now be forwarded to the three regions that have longer hours of operation. This practice has reduced wait times for responses from intake staff throughout the province.

The Compliance and Review Unit had 22 prosecution requests to deal with outstanding labour standards disputes at various stages of activity. Of the 22, nine were successful (with fines totaling $6,340), one was resolved through mediation, one was withdrawn, two were stayed, three did not proceed to charges, five are still before the courts and one is being reviewed for preparation.

Office of the Workers' Advocate

Over the 2010-11 fiscal year the OWA increased the number of workers assisted with Workers' Compensation Board (WCB) claims by 18 per cent over the previous year to 818. Over the same period, the OWA handled 1,409 general inquiries.

The average response time to assign an advocate was eight weeks. Throughout the course of the year, the wait time for the service of an advocate was as high as 12 weeks but ended the year at four weeks. The standard response time objective is to be an average of three weeks, which is comparable with our counterparts in Alberta and British Columbia. The standard response time for general inquiries is 24 hours.

At the end of the fiscal year, the OWA had assigned 360 files to advocates and closed 339. On the 248 appeals filed against WCB decisions, the OWA achieved an 80 per cent success rate. Successful appeals resulted in $1.4 million awarded to injured workers in back pay. This does not include ongoing wage loss entitlements, medical costs, vocational rehabilitation training, etc.

The OWA works with the WCB to improve service to Saskatchewan's injured workers. Meetings on a quarterly basis are used to discuss policies and procedures, claims management and appeals processes, and to explore solutions to issues prior to entering the appeal process. The OWA also meets with the WCB on an as-needed basis to address developing or outstanding issues not addressed during quarterly sessions.

The Client Satisfaction Survey was initiated in January 2010. The purpose of the survey is to track satisfaction trends and address service issues. Data collected indicates a 90 per cent satisfaction rate among respondents. The OWA also initiated service quality reviews in December 2010 to support performance management and accountability and ensure that satisfactory and timely services are being provided to clients.

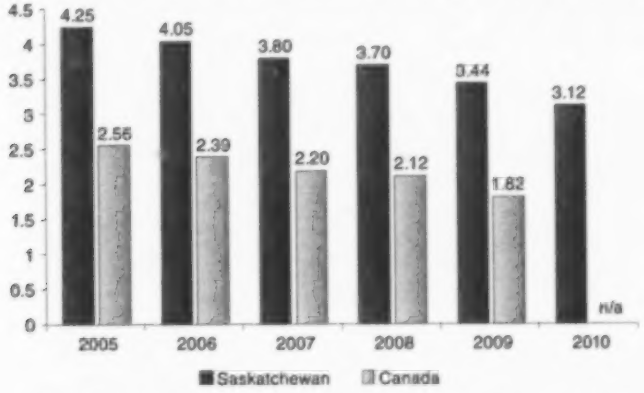
To further help its clients, this past year the OWA developed a Workers' Advocate Handbook for staff that supports standardization of representation and includes a policy and procedure manual.

The Workers' Compensation Act Committee of Review

The Workers' Compensation Act Committee of Review (COR) was appointed to undertake consultations and make recommendations for improving the workers' compensation system in Saskatchewan. Dr. Roslyn Kunin, a former Chair and long-serving board member of WorkSafe BC, is chairing the Committee. The Committee is made up of seven members: three members representing labour, three members representing employers and a neutral chair. The Committee is expected to deliver its report by December 31, 2011.

Occupational Health and Safety (OHS)

Work time-loss injury rates (per 100 workers), Saskatchewan and National Average, 2005 to 2010



Source: The Association of Workers' Compensation Boards of Canada (AWCBC) for national rates and Saskatchewan Workers' Compensation Board (WCB) for Saskatchewan rates

Notes:

(1) With respect to the calculation of national rates, jurisdictions may update historical figures, resulting in changes to previous years' national rates.

(2) The AWCBC's data is based on accepted national definitions and may not be the same as statistics published in WCB annual reports. For instance, in 2009, the AWCBC rate for Saskatchewan was 3.33 per cent, not the 3.44 per cent as published by the WCB.

This measure is the rate at which workers are injured on the job and is a measure that can be compared with the average for an industry, the province or the rest of Canada. It measures the number of time-loss injuries (workplace injuries that result in time away from work) reported to, and accepted by, the WCB per 100 full-time equivalent workers.

The Saskatchewan time-loss injury rate for the 2010-11 fiscal year was 3.12 per cent, which represents a 9.3 per cent decrease from the previous year. This exceeds the WorkSafe 2010 goal of 3.3 per cent and the 2011 goal of 3.2 per cent. Furthermore, the Saskatchewan total injury rate for 2010-11 was 8.7 per cent, which represents a 6.6 per cent decrease over the previous year and again exceeds the WorkSafe goal. A reduction in the number of claims indicates fewer workers being injured or becoming ill on the job.

With its partners, government helps to influence this rate through public education, establishing standards for occupational health and safety and conducting workplace inspections. On June 10, 2010, Saskatchewan business and community leaders declared their commitment to health and safety at a public signing event of Saskatchewan's first Health and Safety Leadership Charter. This event was co-sponsored by WorkSafe Saskatchewan and Safe Saskatchewan, a public-private partnership that was launched in 2005 and broadens the focus on safety to home and play. Along with more than 150 private sector representatives, Doug Moen, Deputy Minister to the Premier, signed a charter on behalf of the public sector.

In December 2010, the Workplace Responsibility System (WRS) Assessment final report was delivered. The report comments on the effectiveness and impact of various components of the WRS, which holds every employer and employee in the workplace responsible for occupational health and safety, and contains 12 recommendations into ways it can be strengthened and enhanced. The Ministry is already implementing some of the recommendations.

Occupational Health and Safety continued compliance and best practice strategies to reduce injuries. For example:

- There were 5,504 occupational health committees throughout the workplaces in the province, including 318 new committees
- 5,393 participants took part in 244 Workplace Responsibility System training courses.
- OHS supplied 4,700 technical services* to workplaces.
- The number of OHS inspections performed during 2010-11 was further increased from 2009-10 to 4,851.
- These inspections resulted in OHS issuing 463 Stop Work Orders, 81 prosecution files sent to the Ministry of Justice and 52 convictions.

*Technical Services: assists workplaces to effectively identify and control a range of health hazards to improve worker's health, e.g., radiation, hygiene, toxicology, ergonomics.

	2006-07	2007-08	2008-09	2009-10	2010-11
Conduct workplace inspections	3,621	3,658	3,851	4,785	4,851
Issued contraventions (includes cessations of work, notices and compliance assurances)	4,480	4,550	5,735	6,262	6,592
Stop Work Orders	210	317	775	794	463
Files sent to Justice for review	31	18	26	55	81
Initiate prosecutions for non-compliance (number of defendants where charges laid)	30	11	19	32	74
Convictions	10	13	16	11	52

Financial Schedules 2010-2011

Ministry of Labour Relations and Workplace Safety
Schedule of Revenue and Expenditures

For the Year Ended March 31		(thousands of dollars)			
		2010-11 Estimates	2010-11 Actuals	Variances over (under)	Notes
Revenue					
Proceeds from other Funds	$	10,250	10,270	20	
Receipts from Federal Government		250	214	(36)	1
Privileges, Licenses and Permits				–	
Sales, Services and Service Fees		58	64	6	
Other Revenue				–	
Total Revenue	$	10,558	10,548	(10)	
Expenditure					
Central Management and Services*	$	3,078	2,436	(642)	2
Occupational Health & Safety**	$	7,325	7,178	(147)	3
Labour Standards**	$	2,418	2,611	193	4
Labour Relations Board**	$	978	759	(219)	5
Labour Relations and Mediation**	$	738	789	51	6
Worker's Advocate**	$	639	569	(70)	7
Budget Appropriation	$	15,176	14,342	(834)	
Capital Asset Acquisitions			(413)	(413)	8
Amortization of Capital Assets	$	21	26	5	
Total Revised Estimates and Expenses ***	$	15,197	13,955	(1,242)	
Full Time Equivalent (FTE) Staff Complement		149.1	138.0	(11.1)	9

* Central Management & Services 2010-11 Estimates were prorated out of Advanced Education Employment and Labour (Vote 37), based on the cost allocation of $4.094M prorated as of June 29, 2010 (see *** below).

** All Budget Estimates are amounts contained in subvote AE17 under Advanced Education Employment and Labour (Vote 37)

*** The Ministry of Labour Relations and Workplace Safety was formally established on June 29, 2010 under OC 397/2010 and 417/2010. The total expense in the table above ($15,197k) differs from the Estimated 2010-11 in the 2011-12 Estimates' Schedule of Expenses ($16,213k). The former reflects a prorated Central Management & Services, while the latter reflects the entire fiscal year.

Financial Schedules - Notes

Explanations of variances which exceed $20,000 between Estimates and Actuals.

Revenue

1. Actual costs reimbursed for federally inspected mines is less than budgeted.

Expenditure

2. AEEI provides shared services (financial transactions, accommodations, and information technology) but did not charge LRWS in 2010-11 for these services. Also vacant positions existed throughout the year.
3. Savings resulted from vacant positions during the year and resulting operational savings, despite the fact that inspections (increased 33%), orders written (increased 45%), and prosecutions (increased 572%) have increased by the stated amounts since 2007-08.
4. Since 2007-08, the number of complaints filed and investigated have increased 20%, and as a result additional term positions were required to meet this demand.
5. Savings resulted from vacant positions during the year and resulting operational savings, despite the fact that the number of files handled has increased 81% since 2007-08.
6. The Division has experienced increased caseload work (up 40% from 2007-08), with much of this being conducting votes for union certification/decertification.
7. Vacant positions during the year and resulting operational savings.
8. Renovations were required to create a Deputy Minister's Office, Client Service desk and to renovate the Labour Standards Regina District Office to provide better service to clients.
9. The Ministry (particularly in the OH&S Division) experienced a number of vacant positions throughout the year.

For More Information

If you have any questions or comments, or would like additional copies of the 2010-11 Annual Report, we invite you to call (306) 787-9478 or contact:

Labour Relations and Workplace Safety
Marketing and Communications
11th Floor, 1945 Hamilton Street

Regina, SK S4P 2C8

To download a copy of the report or to obtain more information about programs and services contained in this annual report, please visit the Ministry's website at www.lrws.gov.sk.ca.

Appendix A: LRWS Organizational Chart

March 31, 2011